

Docket No.: 75148-012

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of | : | Customer Number: 20277 |
| Francesco BRAGHIROLI | : | Confirmation Number: 7645 |
| Application No.: 10/765,207 | : | Group Art Unit: 2877 |
| Filed: January 28, 2004 | : | Examiner: Richard A. Rosenberger |
| For: METHOD AND APPARATUS FOR OPTICALLY SCANNING A PNEUMATIC TIRE OF A VEHICLE WHEEL | | |

TERMINAL DISCLAIMER

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, Snap-on Equipment Srl a unico socio, of one hundred percent interest in the instant Application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant Application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to 156 and 173, as presently shortened by any terminal disclaimer, of copending Application No. 10/765,274.

The owner hereby agrees that any patent granted on the instant Application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant Application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant Application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently

shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The undersigned is an attorney of record and therefore the certification under 37 C.F.R. § 3.73(b) is not required.

Please charge the \$130.00 Disclaimer fee to Deposit Account Number 500417.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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